

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Nathaniel H. Jones,)
aka or fka Nathaniel Hampton,)
Nathaniel Jones,)
or Nathaniel Hampton Jones,)

Plaintiff,)

v.)

John Ozmit; Connie C. Taylor, Lt.;)
Annie Sellers, DHO; Robin Chavis;)
Shanya McRae; Willie L. Eagleton,)
Warden,)

Defendants.)

C.A. No. 0:11-00419-JMC

ORDER

This matter is now before the Court upon the Report and Recommendation [Doc. 9] filed by United States Magistrate Judge Paige J. Gossett on April 1, 2011, recommending that the court dismiss Plaintiff Nathaniel H. Jones's complaint pursuant to 42 U.S.C. § 1983 with prejudice and without issuance and service of process. Plaintiff filed objections to the Report. [Docs. 12, 13, 14]. The Report and Recommendation sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge's recommendation without a recitation.

The Magistrate Judge's Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those

portions of the Report and Recommendation to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

In light of the standard above, the Court has reviewed the Report and the objections *de novo*. After careful assessment, the Court **ACCEPTS** the Report. Therefore, for the reasons articulated by the Magistrate Judge, it is **ORDERED** that this complaint is **DISMISSED** with prejudice, pursuant to 28 U.S.C. § 1915(g), without issuance and service of process.

IT IS SO ORDERED.

s/ J. Michelle Childs
United States District Judge

Greenville, South Carolina
July 25, 2011